



CITY COUNCIL
ATLANTA, GEORGIA

Municipal Clerk
Atlanta, Georgia

04-0-0907

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-04-42
Date Filed: 6-10-2004

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2449 (aka 2451) Peachtree Road, N.E.** be changed from the RG-2 (Residential General-Sector 2 District, to the C-1-C (Community Business-Conditional) District, to wit:

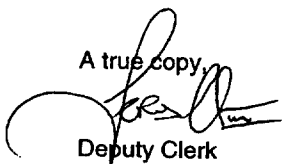
ALL THAT TRACT or parcel of land lying and being in Land Lots 101 & 112 of the 17th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

July 6, 2004
July 14, 2004



Conditions for Z-04-42

1. Site plan entitled "The Loop Pizza Grill, Peachtree Road and Terrace Drive" prepared by Hill, Foley, Rossi and Associates, LLC, Dated May 11, 2004 and marked received by the Bureau of Planning May 14, 2004.
2. Outdoor speakers for music will be limited to the outdoor patio area.
3. There will be no drive through service.
4. There will be no less than 7 short term spaces in the front of the building
5. There will be no heating or airconditioning in the outdoor patio area.
6. 5 trees will be built in the Peachtree Road frontage to comply with the parking lot ordinance.

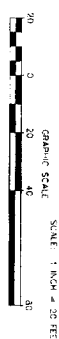
INFORMATION SHOWN IS APPROXIMATE 5' E AND BOUNDARY INFORMATION HAS BEEN BASED ON A HARD COPY PLAN BY A.S. GLOVE & ASSOCIATES, INC. DATED 2-2-2004. THE LOCATION, SPECIFICATIONS AND OTHER INFORMATION HAS BEEN SHOWN GRAPHICALLY FROM A PLAN BY S. HOUSE INC. DATED 7-8-2003.



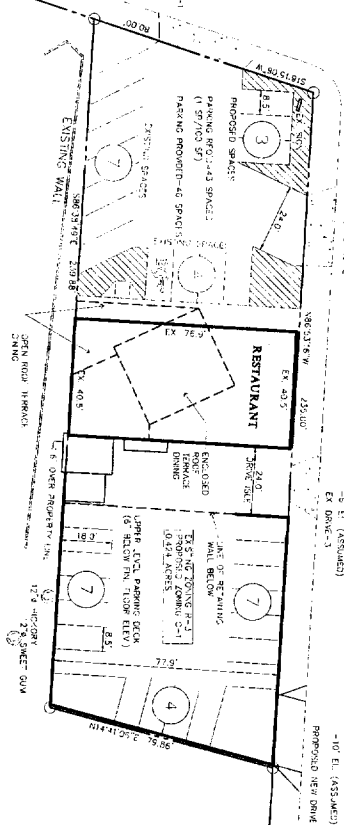
PEACHTREE ROAD
50' R/W

TERRACE DRIVE
50' R/W

PRELIMINARY SITE PLAN

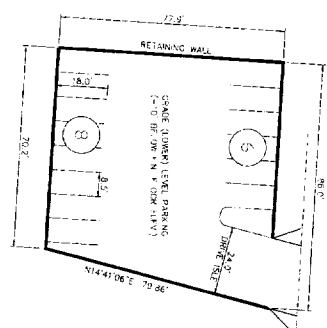


SITE LEGEND
 BUILDING AREA
 1ST FLOOR 3,114 S.F. (ASSUMED)
 2ND FLOOR 4,100 S.F.
 TOTAL 7,214 S.F.
 PARKING SPACES
 REQUIRED - 41 SPACES (1 SP/100 S.F.)
 PROVIDED - 46 SPACES

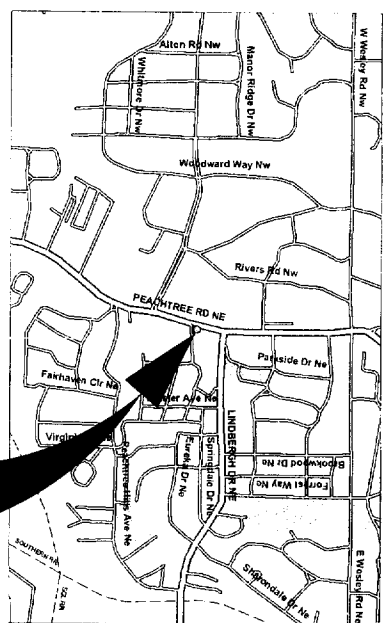
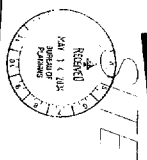


LOWER LEVEL PARKING

SCALE: 1" = 20' FEET



VICINITY MAP
NO SCALE



MAXWELL PROPERTIES
 1111 Peachtree Street NE
 Atlanta, Georgia 30309
 (404) 255-9001

PRELIMINARY SITE PLAN

HILL FOLLY ROSSI ASSOCIATES, LLC
 ARCHITECTURE
 ENGINEERING
 SPACE PLANNING
 3529 Mail Boulevard
 Suite 6A
 Atlanta, Georgia 30308
 Phone: 770.622.8838
 Fax: 770.622.8935
 www.hillfollyrossi.com

CP.2

HFR #04-169

2-4442

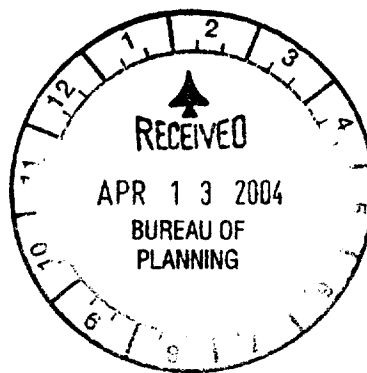


Exhibit "B"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 101 and 112 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

Beginning at an 'x' mark in concrete sidewalk at the intersection of the southeasterly right of way of Peachtree Road (80 foot right of way) and the southerly right of way of Terrace Drive (50 foot right of way) running thence South 18 degrees 15 minutes 06 seconds West along the southeasterly right of way of Peachtree Road 80.00 feet to an iron pin found; thence leaving said right of way of Peachtree Road South 86 degrees 38 minutes 49 seconds East 239.88 feet to an iron pin found; thence North 14 degrees 41 minutes 06 seconds East 79.86 feet to an iron pin found on the southerly right of way of Terrace Drive; running thence along said right of way of Terrace Drive North 86 degrees 53 minutes 16 seconds West 235.00 feet to the 'x' mark at Peachtree Road and the point of beginning; containing 18,464.86 square feet (0.424 acres) according to plat of survey by A.S. Giometti & Associates, Inc., dated February 4, 2004.



2-04-42

RCS# 5870
7/06/04
2:57 PM

Atlanta City Council

Regular Session

MULTIPLE

03-O-1993 04-O-0906 04-O-0907

ADOPT ON SUB

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y Smith	Y Winslow	NV Shook	Y Martin	Y Mitchell
NV Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	NV Fauver	Y Moore	NV Mosley	NV Willis

MULTIPLE

04-0-0907

(Do Not Write Above This Line)

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-42

AN ORDINANCE TO REZONE FROM THE
RG-2 (RESIDENTIAL GENERAL-SECTOR
2) DISTRICT TO THE C-1 (COMMUNITY
BUSINESS) DISTRICT, PROPERTY
LOCATED AT 2449 (AKA 2451)
PEACHTREE ROAD, N.E. FRONTING 80
FEET ON THE EASTERLY SIDE OF
PEACHTREE ROAD BEGINNING AT THE
SOUTHEAST CORNER OF TERRACE
DRIVE.
DEPTH: 239.88 FEET
AREA: 14,464.86 SQ. FEET
LAND LOTS 101 & 112
17TH DISTRICT, FULTON
COUNTY, GEORGIA
OWNER: DEFOOR HILLS, LLC
APPLICANT: MC PEACHTREE BATTLE
LOOP, LLC
BY: NATHAN V. HENDRICKS
III, ATTNV

ADOPTED BY

JUL 06 2004

COUNCIL DISTRICT
SUBSTITUTE COUNCIL

- ☐ **CONSENT REFER**
☒ **REGULAR REPORT REFER**
☐ **ADVERTISE & REFER**
☐ **1st ADOPT 2nd READ & REFER**
☐ **PERSONAL PAPER REFER**

Date Referred 5/17/2004
Referred To: ZRB & Zoning
Date Referred
Referred To:
Date Referred
Referred To:

First Reading
Committee Date
Chair
Referred To

Committee

Date June 30, 2004

Chair

Action

Fav, Adv, Hold (see rev. side)

and substitute

Members

[Handwritten signatures]

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

CERTIFIED

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED
JUL 6 2004

COUNCIL PRESIDENT

JUL 06 2004
NATHAN V. HENDRICKS
MAYOR

MAYOR'S ACTION

APPROVED
MAYOR